

CLOSED,BD

**U.S. District Court  
Eastern District of Arkansas (Little Rock)  
CIVIL DOCKET FOR CASE #: 4:08-cv-00500-JLH**

Deininger & Wingfield PA et al v. Internal Revenue Service  
Assigned to: Chief Judge J. Leon Holmes  
Cause: 05:552 Freedom of Information Act

Date Filed: 06/06/2008  
Date Terminated: 09/18/2009  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff****Deininger & Wingfield PA**

represented by **Nicolas E. Corry**  
Deininger, Wingfield & Corry, P.A.  
920 West Second Street  
Suite 103  
Little Rock, AR 72201  
501-372-3843  
Email: [nc@dwfirm.com](mailto:nc@dwfirm.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Reba Mangum Wingfield**  
Deininger, Wingfield & Corry, P.A.  
920 West Second Street  
Suite 103  
Little Rock, AR 72201  
(501) 372-3843  
Email: [rmw@dwfirm.com](mailto:rmw@dwfirm.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff****Neil Deininger**

represented by **Nicolas E. Corry**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Reba Mangum Wingfield**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant****Internal Revenue Service**

represented by **Carmen M. Banerjee**  
U. S. Department of Justice – Tax Division  
Post Office Box 227  
Washington, DC 20044  
202-307-6423  
Fax: 202-514-6866  
Email: [Carmen.m.banerjee@usdoj.gov](mailto:Carmen.m.banerjee@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
------------	---	-------------

06/06/2008	<u>1</u>	COMPLAINT for Disclosure of Agency Records filed by Deininger & Wingfield P A and Neil Deininger against Internal Revenue Service; Summons issued and returned to attorney; Filing fee of \$350.00 paid, receipt #LIT012133. (kjp) (Entered: 06/09/2008)
07/14/2008	<u>2</u>	NOTICE of Appearance by Carmen M. Banerjee on behalf of Internal Revenue Service (Banerjee, Carmen) (corrected document with certificate of service added on 7/15/2008) (bfw). (Entered: 07/14/2008)
07/14/2008	<u>3</u>	Deficiency Letter from Clerk of Court notifying party that <u>2</u> Notice of Appearance lacks a certificate showing service of the document on all parties. (jct) (Entered: 07/14/2008)
08/11/2008	<u>4</u>	ANSWER to <u>1</u> Complaint by Internal Revenue Service.(Banerjee, Carmen) (Entered: 08/11/2008)
08/11/2008	<u>5</u>	CERTIFICATE OF SERVICE by Internal Revenue Service re <u>4</u> Answer to Complaint (Banerjee, Carmen) (Entered: 08/11/2008)
10/07/2008	<u>6</u>	INITIAL SCHEDULING ORDER (DOC): Rule 26(f) Conference to occur by 11/25/2008; Rule 26(f) Report due by 12/10/2008; proposed bench trial date the week of 6/8/2009. (cdw) (Entered: 10/07/2008)
11/25/2008	<u>7</u>	(This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) Minute entry for proceedings held before Chief Judge J. Leon Holmes: Telephone Conference held on Tuesday, 11/25/2008; Nicolas Corry, Neil Deininger present for plaintiffs; Carmen Banerjee present for defendant; parties advise all issues except plaintiffs' claims for attorney's fees have been resolved; briefing schedule established; see order. (Court Reporter J. Ammons) (cdw) (Entered: 11/25/2008)
11/25/2008	<u>8</u>	ORDER by agreement of counsel, Pltfs' motion for attorney's fees is to be filed by 1/12/09; Deft's response will be due on 2/13/09; Pltfs' reply brief, if any, will be due no later than 2/27/09; all proposed deadlines included in the <u>6</u> Initial Scheduling Order are hereby vacated. Signed by Chief Judge J. Leon Holmes on 11/25/08. (vjt) (Entered: 11/26/2008)
01/12/2009	<u>9</u>	ATTORNEY APPEARANCE by Reba Mangum Wingfield for Deininger & Wingfield PA and Neil Deininger. (vjt) (Entered: 01/12/2009)
01/12/2009	<u>10</u>	MOTION and Memorandum of Law in Support by Pltfs for Attorney's Fees and Costs. (vjt) (Entered: 01/12/2009)
01/13/2009	<u>11</u>	AFFIDAVIT re <u>10</u> MOTION for Attorney Fees by Deininger & Wingfield PA, Neil Deininger. (Attachments: # <u>1</u> Exhibit Exhibits A through B-5)(Corry, Nicolas) (Entered: 01/13/2009)
02/11/2009	<u>12</u>	ORDER granting Deft's request for extension of time until 2/19/09 to respond to Pltfs' <u>10</u> MOTION for Attorneys' Fees; Pltfs' reply brief, if any, will be due no later than 3/5/09. Signed by Chief Judge J. Leon Holmes on 2/11/09. (vjt) (Entered: 02/12/2009)
02/19/2009	<u>13</u>	RESPONSE in Opposition re <u>10</u> MOTION for Attorney Fees filed by Internal Revenue Service. (Attachments: # <u>1</u> Affidavit Carmen M. Banerjee, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit Rodriguez Decl, # <u>5</u> Exhibit 4-Baker Decl)(Banerjee, Carmen) (Entered: 02/19/2009)
02/19/2009	<u>14</u>	CERTIFICATE OF SERVICE by Internal Revenue Service re <u>13</u> Response in Opposition to Motion, <i>and exhibits and declarations</i> (Banerjee, Carmen) (Entered: 02/19/2009)
03/05/2009	<u>15</u>	REPLY to Response to Motion re <u>10</u> MOTION for Attorney Fees filed by Deininger & Wingfield PA, Neil Deininger. (Attachments: # <u>1</u> Exhibit Plaintiffs' Exhibit A)(Corry, Nicolas) (Entered: 03/05/2009)
07/24/2009	<u>16</u>	ORDER granting <u>10</u> Motion for Attorney Fees and directing the plaintiffs to file an itemized request within 14 days of the entry of this Order. Signed by Chief Judge J. Leon Holmes on 7/24/09. (bkp) (Entered: 07/24/2009)

07/31/2009	<u>17</u>	MOTION for Attorney Fees <i>Itemized Request of Claimed Fees</i> by Deininger & Wingfield PA, Neil Deininger (Attachments: # <u>1</u> Exhibit Itemized Billing Statement, # <u>2</u> Exhibit Affidavit of Neil Deininger)(Corry, Nicolas) (Entered: 07/31/2009)
08/12/2009	<u>18</u>	Unopposed MOTION to Extend Time <i>To File Challenge to Itemization Request</i> by Internal Revenue Service (Banerjee, Carmen) (Docket text modified on 8/13/2009 to indicate the proposed order was filed as an attachment in error.) (thd) (Entered: 08/12/2009)
08/12/2009	<u>19</u>	ORDER granting def't's <u>18</u> Motion to Extend Time until 8/24/09 to file its challenge to pl'tfs' <u>17</u> Itemized Request for Attorneys' Fees and Litigation Costs. Signed by Chief Judge J. Leon Holmes on 8/12/09. (vjt) (Entered: 08/12/2009)
08/13/2009	<u>20</u>	Deficiency Letter from Clerk of Court notifying party that <u>18</u> Motion to Extend Time lacks a certificate showing service of the document on all parties (F.R.Cv.P.5(d)(1)). (thd) (Entered: 08/13/2009)
08/13/2009		NOTICE OF DOCKET CORRECTION re: <u>18</u> Unopposed MOTION to Extend Time <i>To File Challenge to Itemization Request</i> . CORRECTION: The docket text was modified to indicate the proposed order was filed as an attachment to docket entry <u>18</u> in error. (thd) (Entered: 08/13/2009)
08/24/2009	<u>21</u>	RESPONSE in Opposition re <u>10</u> MOTION for Attorney Fees, <u>17</u> MOTION for Attorney Fees <i>Itemized Request of Claimed Fees Challenge to Itemized Request</i> filed by Internal Revenue Service. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Document Certificate of Service)(Banerjee, Carmen) (Entered: 08/24/2009)
08/28/2009	<u>22</u>	REPLY to Response to Motion re <u>17</u> MOTION for Attorney Fees <i>Itemized Request of Claimed Fees</i> filed by Deininger & Wingfield PA, Neil Deininger. (Corry, Nicolas) (Entered: 08/28/2009)
09/18/2009	<u>23</u>	OPINION AND ORDER regarding <u>17</u> MOTION for Attorney Fees and Itemized Request of Claimed Fees filed by Neil Deininger, Deininger & Wingfield PA, attorneys' fees will be awarded to pl'tfs in the amount of \$2,500, plus the filing fee of \$350, for a total of \$2,850; the request for reimbursement for postage and PACER fees is denied because those items are overhead; judgment will be entered accordingly. Signed by Chief Judge J. Leon Holmes on 9/18/09. (vjt) (Entered: 09/18/2009)
09/18/2009	<u>24</u>	JUDGMENT pursuant to <u>23</u> Opinion and Order entered this date, judgment is hereby entered in favor of pl'tfs against the IRS in the amount of \$2,850. Signed by Chief Judge J. Leon Holmes on 9/18/09. (vjt) (Entered: 09/18/2009)
03/25/2010	<u>25</u>	SATISFACTION OF JUDGMENT re <u>24</u> Judgment entered In favor of Deininger & Wingfield PA and Neil Deininger Against Internal Revenue Service filed by Neil Deininger & Deininger & Wingfield PA. (kjp) (Entered: 03/29/2010)